



**MINUTES OF CITY COUNCIL  
REGULAR SESSION  
AUGUST 6, 2018**

**The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:00 p.m. on Monday, August 6, 2018, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:**

Dennis Childress	Mayor
Jon Epps	Mayor Pro Tem
Jose Hernandez	Councilmember
Rick Howard	Councilmember
Harold Magill	Councilmember
Mike Fruin	Councilmember

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Asst. Water Utilities Director Chris Ryan, Community Development Director Ladis Barr, City Attorney Robert Hager, Finance Director Patrick Harvey, Senior Finance Accountant Gail Lawrence, Sergeant Karl Bailey, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

**Invocation** – *Invocation was led by Councilmember Magill.*

**Pledge of Allegiance** – *Pledge of Allegiance was led by Mayor Childress.*

**Mayor's Report** – *Mayor Childress stated the Health Fair will be September 26, 2018 from 10:00 a.m. to 2:00 p.m. and Leadership Seagoville will be held every Thursday night beginning October 4, 2018 through November 15, 2018.*

**Citizens Public Comment Period**- *This portion of the meeting is to allow each speaker up to six (6) minutes to address the council on items not posted on the current agenda. Council may not discuss these items but may respond with factual data or policy information, or place the item on a future agenda. Citizens wishing to speak on posted agenda items will be called upon at that time. Anyone wishing to speak shall submit a Speaker Request Form to the City Secretary.*

*None*

**CONSENT AGENDA**- The Consent Agenda contains items which are routine in nature and will be acted upon in one motion.

- 1. Consider approving City Council Meeting minutes for July 23, 2018 (City Secretary)**

- 2. Discuss and consider calling a public hearing on August 20, 2018 and August 21, 2018 to receive citizen input on the proposed FY 2018-2019 budget and tax rate (Finance Director)**

*Motion to approve Consent Agenda as read – Magill, seconded by Epps; motion passed with all ayes. 5/0*

**REGULAR AGENDA-**

- 3. Discuss and consider a Resolution of the City of Seagoville, Texas, accepting the Certified Tax Roll of Dallas and Kaufman County Appraisal Districts; and providing an effective date (Finance Director)**

*Motion to approved a Resolution of the City of Seagoville, Texas, accepting the Certified Tax Roll of Dallas and Kaufman County Appraisal Districts; and providing an effective date – Hernandez, seconded Howard; motion passed with all ayes. 5/0*

- 4. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, accepting the proposed property tax rate for fiscal year 2018-2019; accepting the calculation of the effective tax rate; and providing for the publication as provided by the Texas Property Tax Code (Finance Director)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, accepting the proposed property tax rate for fiscal year 2018-2019; accepting the calculation of the effective tax rate; and providing for the publication as provided by the Texas Property Tax Code – Magill, seconded by Howard. Mayor Childress called for a vote as follows: Hernandez – yes, Howard – yes, Magill – yes, Fruin – yes, Epps-yes. Motion passed with all ayes. 5/0*

**5. Discuss and consider an Ordinance of the City of Seagoville, Dallas and Kaufman Counties, Texas, amending the Comprehensive Zoning Ordinance and map of the City of Seagoville, Kaufman County, Texas, as heretofore amended, by granting a change in zoning from Planned Development-13-01-Amended 1 (PD-13-01-A1) to Planned Development-13-01-Amended 2 (PD-13-01-A2) for the property located at 1706 South U.S. Highway 175, Seagoville, Kaufman County, Texas, and being more particularly described as Lots 1, 2A, 2B, and 3, Block A, of the Sudduth Addition and being legally described in Exhibit "A", attached hereto and incorporated herein; providing for amended development regulations; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date (Community Development Director)**

*(Councilmember Fruin recused himself at 7:03 p.m.)*

*Mayor Childress invited applicant Sudduth to speak concerning the zoning for the property located at 1706 South U.S. Highway 175, Seagoville, Kaufman County, Texas.*

*Applicant James Sudduth at 2402 Cloverhill stated this request is designed to allow his business to change as the market changes. He also stated he will obtain any required permits as needed when changes occur for his business.*

*Motion to approve an Ordinance of City of Seagoville, Dallas and Kaufman Counties, Texas, amending the Comprehensive Zoning Ordinance and map of the City of Seagoville, Kaufman County, Texas, as heretofore amended, by granting a change in zoning from Planned Development-13-01-Amended 1 (PD-13-01-A1) to Planned Development-13-01-Amended 2 (PD-13-01-A2) for the property located at 1706 South U.S. Highway 175, Seagoville, Kaufman County, Texas, and being more particularly described as Lots 1, 2A, 2B, and 3, Block A, of the Sudduth Addition and being legally described in Exhibit "A", attached hereto and incorporated herein; providing for amended development regulations; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date. Also, amending Section 2, Definition 5 to "...and /or similar activities not associated with, or taking place during, the flea market as defined herein;..." and Section 3, Regulation 5(i) Public Safety Requirements "...as defined herein, a Medical Aid Station shall be required. A Medical Aid Station may be an enclosed building, enclosed booth or tent, clearly marked as a Medical Aid Station. The Medical Aid Station shall be stocked with adequate supplies. In addition, an Automated External Defibrillator ("AED") shall be required on the grounds and at least one (1) personnel certified in CPR by the American Red Cross and one (1) personnel certified in CPR by the American Heart Association shall be required to be present during market days and at special events. At least one (1) cart shall be available for use in getting to and for the transport of patients." – Hernandez, seconded by Epps; motion passed with all ayes. 4/0*

*(Councilmember Fruin returned at 7:16 p.m.)*

**6. Discuss service dogs in restaurants and stores (Councilmember Hernandez)**

*Councilmember Hernandez stated he requested this item because he noticed a person in a store with a dog in the shopping cart but he also noticed the store had a sign posted concerning service dogs. After some discussion, he asked Staff to remind local businesses that service animals are not allowed to be in carts and they need to enforce the postings.*

**7. Conduct a public hearing on a zoning request Z2018-11 to change zoning from R-5 (Residential-5 Single Family) to C (Commercial) on two (2) tracts of land being a combined total of approximately 0.4-acres of real property described as Lot 17 and Lot 18, Block A, of Shady Grove Estates 3<sup>rd</sup> Inst. Addition, commonly referred to as 209 and 211 Avenue B (Community Development Director)**

*Mayor Childress opened the public hearing at 7:23.*

*Jack Wilson a property owner in Seagoville spoke in favor due to generating tax revenue.*

*Donna Martin at 301 Ave C, Max Noel at 209 Ave C, Robert Schwartz at 114 Ave B, Lola Wilson on 204 E. Farmers Road, and Priscilla Duncan at 204 Ave B all spoke against due to traffic and crime rate increasing when businesses are allowed in the neighborhood.*

*Mayor Childress closed the public hearing at 7:33 p.m.*

**8. Discuss and consider an Ordinance of the City of Seagoville, Dallas and Kaufman Counties, Texas, amending the Comprehensive Zoning Ordinance and map, as heretofore amended, by granting a change in zoning from R-5 (Residential-5 Single Family) to C (Commercial) on two (2) tracts of land being a combined total of approximately 0.4-acres of real property described as Lot 17 and Lot 18, Block A, of Shady Grove Estates 3<sup>rd</sup> Inst. Addition, commonly referred to as 209 and 211 Avenue B, Seagoville, Dallas County, Texas, as described and depicted in Exhibit "A", which is attached hereto and incorporated herein; providing for the repealing of all Ordinances in conflict; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date (Community Development Director)**

*Motion to deny an Ordinance of the City of Seagoville, Dallas and Kaufman Counties, Texas amending the Comprehensive Zoning Ordinance and map, as heretofore amended, by granting a change in zoning from R-5 (Residential-5 Single Family) to C (Commercial) on two (2) tracts of land being a combined total of approximately 0.4-acres of real property described as Lot 17, and Lot 18, Block A, of Shady Grove Estates 3<sup>rd</sup> Inst. Addition, commonly referred to as 209 and 211 Avenue B, Seagoville, Dallas County, Texas, as described and depicted in Exhibit "A", which is attached hereto and incorporated herein; providing for the repealing of all Ordinances in conflict; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date – Hernandez, seconded by Magill. In response to a question by Mayor Pro Tem Epps, Community Development Director stated yes there is residential along U.S. Highway 175 other than this particular area. After some discussion, Mayor Childress called for a vote, motion passed 3/2. Hernandez, Magill, and Epps in favor, Howard and Fruin against.*

**9. Conduct a public hearing on a zoning request Z2018-12 to change zoning from R-5 (Residential-5 Single Family) to C (Commercial) on three (3) tracts of land being a combined total of approximately 0.7- acres of real property described as Lot 8, Lot 9 and Lot 9A, Block B, of Shady Grove Estates 3<sup>rd</sup> Inst. Addition, commonly referred to as 208, 210 and 212 Avenue B (Community Development Director)**

*Mayor Childress opened the public hearing at 7:41 p.m.*

*City Attorney Hager stated there is no need for citizens to speak again if the City Secretary will apply the comments from the previous zoning case in Agenda Item # 7 to this zoning case.*

*Jack Wilson a property owner in Seagoville spoke in favor due to generating tax revenue.*

*Donna Martin at 301 Ave C, Max Noel at 209 Ave C, Robert Schwartz at 114 Ave B, Lola Wilson on 204 E. Farmers Road, and Priscilla Duncan at 204 Ave B all spoke against due to traffic and crime rate increasing when businesses are allowed in the neighborhood.*

*Mayor Childress closed the public hearing at 7:41 p.m.*

**10. Discuss and consider an Ordinance of the City of Seagoville, Dallas and Kaufman Counties, Texas amending the Comprehensive Zoning Ordinance and map, as heretofore amended, by granting a change in zoning from R-5 (Residential-5 Single Family) to C (Commercial) on three (3) tracts of land being a combined total of approximately 0.7-acres of real property described as Lot 8, Lot 9 and Lot 9A, Block B, of Shady Grove Estates 3<sup>rd</sup> Inst. Addition, commonly referred to as 208, 210 and 212 Avenue B, Seagoville, Dallas County, Texas as described and depicted in Exhibit "A", which is attached hereto and incorporated herein; providing for the repealing of all Ordinances in conflict; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date (Community Development Director)**

*Motion to deny an Ordinance of the City of Seagoville, Dallas and Kaufman Counties, Texas amending the Comprehensive Zoning Ordinance and map, as heretofore amended, by granting a change in zoning from R-5 (Residential-5 Single Family) to C (Commercial) on three (3) tracts of land being a combined total of approximately 0.7-acres of real property described as Lot 8, Lot 9 and Lot 9A, Block B, of Shady Grove Estates 3<sup>rd</sup> Inst. Addition, commonly referred to as 208, 210, and 212 Avenue B, Seagoville, Dallas County, Texas as described and depicted in Exhibit "A", which is attached hereto and incorporated herein; providing for the repealing of all Ordinances in conflict; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date – Hernandez, seconded by Magill; motion passed 4/1. Hernandez, Howard, Magill, and Epps in favor, Fruin against.*

**11. Receive Councilmember Reports/Items of Community Interest** - as authorized by Section 551.0415 of the Texas Government Code.

*Councilmember Magill thanked Chief Calverley for resolving an issue with a leaning power pole.*

*Councilmember Howard thanked everyone that participated in and helped make the Back to School Bash successful.*

*Councilmember Hernandez agreed with Councilmember Howard that the Back to School Bash was successful and he was thankful to everyone involved.*

*Mayor Childress invited Billy Chasteen to report concerning the Back to School Bash. Billy Chasteen at 732 Jack stated he was thankful for the help of City making the Back to School Bash successful. He also stated Seven Thousand Seven Hundred Ten Dollars (\$7710.00) was raised for school supplies and about Three Thousand Dollars (\$3,000.00) in supplies was donated.*

**12. Future Agenda Items** – Council to provide direction to staff regarding future agenda items. These items will not be discussed and no action will be taken at this meeting.

*Councilmember Fruin stated he would like an item to discuss and take action to require any City Sporting Events on City owned property to require the event holder to have Emergency Medical Service personnel on site.*

**13. Recessed into Executive Session at 7:48 p.m.**

- A. § 551.074 Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: Economic Development Director**
- B. §551.075. Deliberation regarding the purchase, exchange, lease, or value of real property located on Simonds Road**

**14. Reconvene Into Regular Session at 8:31 p.m.**

**Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.**

*No action taken.*

**Adjourned at 8:31 p.m.**

**APPROVED:**

  
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Mayor Dennis K. Childress

**ATTEST:**

  
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Kandi Jackson, City Secretary

